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| 09/463,010 | 01/19/2000 | Takeshi Hoshino | 500.38106X00 | 5763 |

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EXAMINER

BAUTISTA, XIOMARA L

| ART UNIT | PAPER NUMBER |
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2173

DATE MAILED: 11/05/2003

Handwritten signature/initials

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten number 3

Office Action Summary

Application No.

09/463,010

Applicant(s)

HOSHINO ET AL.

Examiner

X L Bautista

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5 and 23-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5, 23-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 5 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 5, 23, and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kojima et al* (US 6,236,398 B1) in view of *Ermel et al* (US 5,835,094).**

Claims 1 and 25:

Kojima discloses a multimedia information display method of displaying contents of a plurality of multimedia (abstract; col. 2, lines 53-58). The method provides a plurality of content display zones (book icons, fig. 3A; genre, fig. 4A) in a virtual three-dimensional space on a screen to arrange contents information items (media content, fig. 3B) corresponding to a plurality of contents selected for each

contents display zones (abstract; col. 2, lines 59-64; col. 5, lines 14-19; col. 6, lines 17-67). The contents information item selected by a user are placed at a position near a center of the screen in a longitudinal direction (horizontal) from the center (col. 6, lines 17-64; col. 7, lines 12-34). Kojima teaches that the icons are easier to recognize owing to their three-dimensional shape in the depth direction, and that the ones disposed in the depth of the space may be smaller. Kojima teaches that the icons may be selected by positioning a cursor on the icon by using a mouse, but because their size may change and their location may be frequently designated the invention uses a media-selecting device to turn the icons in a clockwise and counterclockwise direction (abstract; col. 2, lines 24-32, 59-67; col. 3, lines 1-15).

Kojima does not teach that the contents information items have sizes determined according to a utilization degree of user. However, Ermel discloses a method for displaying information simulating three-dimensional space. Ermel displays a plurality of contents display zones horizontally on the screen. Ermel teaches that the size of the objects (files, documents, icons) may relate to its distance from a predefined portion of the display (abstract; col. 1, lines 49-58) or it may be determined according to a utilization degree of a user (col. 2, lines 8-13; col. 5, lines 4-5). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kojima to include

Ermel's teaching of changing the size of the items according to their use because the user can easily select and interact with the objects that are frequently used.

Kojima does not teach displaying detailed items of contents. However, Ermel teaches that the objects are labeled (detailed items), (col. 3, lines 61-65; col. 4, lines 14-19). Thus, it would have been further obvious to add detailed items of contents in Kojima's contents display zones because they provide the user with useful additional information regarding the objects in the contents display zone which may help for quick recognition and selection of a desired object.

Kojima does not teach a menu that is displayed together with the plurality of contents display zones. However, Ermel teaches a menu (tool tray 24), which is displayed together with the contents display zones (col. 3, lines 25-31; col. 4, lines 30-38; figs. 1-9). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of invention to modify Kojima to include Ermel's teaching of a menu in a contents display zone because a fixed menu eliminates navigation when the user needs to use tools, which may be disorienting and frustrating for some users.

Claims 5, 28, and 29:

See claim 1. Kojima teaches that the icons have different location information (abstract; col. 3, lines 19-20; col. 10, lines 59-60) but does not teach that this information is according to history of use. However, Ermel teaches that

the objects exchange size and position according to history of use (col. 2, lines 8-13; col. 5, lines 4-5).

Claims 23:

Kojima teaches that the icons may be selected by positioning a cursor on the icon by using a mouse, but because their size may change and their location may be frequently designated the invention uses a media-selecting device to turn the icons in a clockwise and counterclockwise direction (abstract; col. 2, lines 24-32, 59-67; col. 3, lines 1-15).

Claim 26:

See claim 23. Kojima teaches displaying contents display zone in a circle near the center in the lower region of the screen and turning the contents display zones in response to the user's selection (abstract; col. 2, lines 24-32, 59-67; col. 3, lines 1-15).

Claim 27:

See claim 1. Kojima/Ermel teaches another zone beyond the plurality of contents display zones (Ermel: figs. 1-9).

4. Claims 24 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kojima/Ermel* in view of *Gallup et al* (US 6,201,540 B1).

Claim 24:

Kojima/Ermel teaches that a document object is visually represented depending on what it represents but it does not teach that the objects have different contours corresponding to kinds of media. However, Gallup discloses an automobile computer system having a computer configured to support multiple applications. A plurality of application icons are scrollable across the visual operator interface by a user. The operator interface has a fixed focus position, wherein any application icon that is scrolled to the fixed focus position becomes focused and can be activated to select the application corresponding to the focused application icon. The icons have different shapes corresponding to kinds of media (abstract; col. 1, lines 61-67; col. 2, lines 1-34, 50-61; figs. 3-5). Therefore, it would have been obvious to one ordinarily skilled in the art at the time the invention was made to include Gallup's icons in Kojima/Ermel's invention because they provide the user with graphical indication about the kind of media that represents and it also facilitates selection.

Claim 30:

See claim 1. Kojima does not teach that the multimedia information display method is for use with a display employed in a car. However, Gallup teaches menus of available application programs and Graphical control elements that are available to the application programs from an operating system of an automotive

accessory (abstract; col. 1, lines 5-12, 61-67; col. 2, lines 1-34, 50-61; figs. 3-5). Gallup teaches an automotive accessory 50 that can be used to integrate multiple vehicle-related systems onto one open platform. For instance, the accessory can serve as a multimedia entertainment system, a communications system, a navigation system, etc., (col. 4, lines 24-37). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Gallup's teachings of a multimedia information display mounted on a car in Kojima/Ermel's invention because people are enabled to be well informed while traveling in automobiles; they can tune into local radio stations to listen to news, weather forecasts and traffic conditions; they can access local map information and even keep in touch with their homes and offices, and to confirm appointments, and all of these can be possible by having an information control system mounted in the automobile, which facilitates the user's retrieval and/or dissemination of information.

Claim 31:

See claim 23. Kojima teaches displaying contents display zone in a circle near the center in the lower region of the screen and turning the contents display zones in response to the user's selection (abstract; col. 2, lines 24-32, 59-67; col. 3, lines 1-15).

Claim 32:

See claim 1. Kojima teaches that the icons have different location information (abstract; col. 3, lines 19-20; col. 10, lines 59-60) but does not teach that this information is according to history of use. However, Ermel teaches that the objects exchange size and position according to history of use (col. 2, lines 8-13; col. 5, lines 4-5).

Claim 33:

See claim 1. Kojima teaches objects that allow one-way and two-way communication (figs. 5A, 5B, 6A, 6B, 9B, 11B, 14B).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on M-Th (8:00-18:00) Fridays Off.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

7. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

8.



X. L. Bautista
Patent Examiner
Art Unit 2173

xlb
October 31, 2003